

By the King.



AN ACT by the grace of God, King of England, Scotland, France and Ireland, defender of the Faith, &c. To the Lord Treasurer, Chamberlain, Under-treasurer, Chamberlains and Barons of our Court of Exchequer, and to all other our officers, Ministers, and loving subjects, to whom it shall come or may appertaine, & to every of them greeting: Whereas heretofore by virtue of sundrie Commissions and warrants by vs and our progenitors made, given, and graunted in that behalfe, divers woods and trees haue beene fallen, cutte downe, soule and given, and are to be fallen, cut downe, soule, and given from our Mannors, Forests, Chases, parkes, lands, tenements, and hereditaments within our Realme of England, and Dominion of Wales, By reason whereof, there are and will be within our saide Mannors, Forests, Chases and parkes, and other our lands, tenements, and hereditaments, aforesaid, divers Roots and Stumps of woods and Trees. And whereas divers Trees haue beene blownen downe by weather or otherwise broken and fallen downe, within the soyles and places aforesaid. And whereas also wee are given to understand that the said Roots and Stumps of Trees being altogether neglected to be taken vp, doe not only rot and perishe without any manner of commodite or good thereto comming, but also in the meane time doe hinder the spryng of grasse, and otherwise hurt and deface the grounds where they are so left, to the losse and prejudice of our loving subiects, which haue common therin. Know ye therefore that we, aswell for, and in consideration of the good, faichfull, and acceptable seruice heretofore done to vs by our trusste and welbeloued servants Sir Robert Stewart Knight and Richard Vaus Esquire, as also for divers other good causes and considerations vs deuocione specially mouing, haue of our speciall grace, certaine knowledge, and meete motion giuen and graunted, and by these presents, for vs, our heires, and successors, doe giue and grant vnto the said Sir Robert Stewart and Richard Vaus their executors, administrators, and assignes, all rootes and stumps of woods and trees, which now be & remaine, and which hereafter at any time, during such time as our Commissions, or warrants aforesaid, or any of them shall continue in force, shall be and remaine in the earth, or of the height or length of thre foote, or thereabouts above the earth, after an ordinarie cutting downe with an Axe or Hawe, and also all Roots and Stumps of woodes and trees heretofore broken downe, or blowne downe by weather or otherwise, not exceeding likewise the height of thre foote or thereabouts above the earth, within all or any our said Mannors, Forests, Chases and Parkes: And all other our lands, tenements, and hereditaments aforesaid, within our Realme of England and Dominion of Wales. And for the better execution & injoying of this our Graunt, we do further by these presents of our more speciall grace, certaine knowledge, and meete motion giue and grant vnto the said Sir Robert Stewart, and Richard Vaus, their executors, administrators, deputys, substitutes, and assignes, and to their seruants and workmen, and to every of them, full power, and lawfull and absolute authoritie from time to time, and at all times conuenient to enter into any of our Forests, and parkes, and other our mannes, lands, tenements and hereditaments, whether the same be in the possession of vs, our heires or successours, or in the hands and possessions of any our Farmers or Tenants of the same: and to roote and digge vp all, and all manner of rootes and stumps of woods and trees as aforesaid, within any of the soyles and places aforesaid not exceeding thre foote or thereabouts in height or lengd above the earth as aforesaid: and the same and every of them to take, carry away and conuert to their owne proper vse and vies. To haue and to hold, take and injoy all the aforesaid rootes and stumps of woods and trees to the said Sir Robert Stewart and Richard Vaus, their executors, and administrators and assignes, to the only vse and behoofe of the said Sir Robert Stewart and Richard Vaus their, and either of their executors, administrators and assignes, as of our free gift and speciall grace without any account or other thing thereof or thereto to vs our heires or successors, to be vielded, rendred or made in that behalfe. And to the intent that the said Sir Robert Stewart and Richard Vaus their executors, administrators, and assignes, may the better discouer and finde out the said rootes and stumps of woods and trees by these presents graunted as aforesaid: we will and by these presents grant vnto the said Sir Robert Stewart and Richard Vaus their executors, administrators, and assignes, free liberty, license, power and authority, to search, vew, and peruse, any records, accounts, roles, or other writings whatsoeuer, either in the custody of any our Auditors of our reuenerewes or surveyours of our woods, or any other our officers and ministers whatsoeuer, concerning any our Forests, parkes, Chases & woods whatsoeuer, in the presence of such officer or officers, or their deputy or deputies, to whom the saide doe properly appertaine without the resistance or denyall of any such officer or officers their deputy or deputies: neuerthelesse our will and pleasure is, and the saide Sir Robert Stewart and Richard Vaus for them, and either of them, thir and cyther of them heires, executors, administrators, and assignes doe conuenant and graunte, to and with vs our heires and successors by these presents: That they the said Sir Robert Stewart and Richard Vaus, their executors, administrators, substitutes or assignes, or any of them shall not digge vp any rootes or stumps of woodes and trees, so by these presents graunted as aforesaid, within two yeares next after the cutting downe, breaking, or blowing downe of any woods or trees within any th: soyles or places aforesaid, nor any rootes or stumps of woods or trees at all where any yong pung, or shoot within thre foote of the body of the said rootes and stumps doth issue or grow in appearance: and further that the said Sir Robert Stewart and Richard Vaus, their executors, administrators, substitutes, assignes and workmen shall dig vp the said rootes and stumps of woods and trees, intended to be graunted by these presents, from time to time betweene the first day of November and the tenth day of March, and not at any other time of the yere or season: and shall also take and carry away from the grounds and soyles aforesaid, all and every the said rootes and stumps of woods and trees so digged vp as aforesaid, within any the soyles and places aforesaid before the twentieth day of April then next comynge after they haue so digged vp as aforesaid: except the said Sir Robert Stewart and Richard Vaus their executors, administrators, or assignes, or some of them shall procure the consent of the Farmers and Tenants of the said soyles and places, and of a conuenient number of the Commoners in places of wast or common, to the digging and carrying away of the said rootes and stumps of woods and trees as aforesaid, at any other time of the yere as more conuenient. And our further will and pleasure is, And the said Sir Robert Stewart and Richard Vaus for them and either of them, thir and cyther of their heires, executors, administrators, or assignes and every of them doe conuenant and graunt to and with vs our heires and successors by these presents, that they the said Sir Robert Stewart and Richard Vaus, their executors, administrators, substitutes or assignes, or any of them shall not in any wise breake any ground within any our Coplewoods, or Coppices or within any the Coplewoods or Coppices of any of our Farmers or Tenants, for the taking or digging vp of any of the said rootes or stumps of woods and trees within any of the soyles or places aforesaid, aboue fourte foote in distance from the roote it selfe.

And that they shall not digge vp at all in any Coplewood or Coppice aforesaid, any rootes or stumps of woods and trees at any time after f. ure yeares next following after the fell of the same Coplewoods, Coppices, or underwoods, nor in such places or grounds where there is not waye or passages for carriage or Caires, without manifest damage and spoile to the underwoods: And also that they the said Sir Robert Stewart and Richard Vaus, their executors, administrators or assignes, workmen or some of them shall yearly from time to time, plane and let in the place of every roote or stumps digged vp, two young trees of thre yeares growth or more, in and vpon the ground and soyle within eny such Coplewoods or Coppices where the said rootes and stumps of woodes and trees shall bee so stubbed or digged vp. And that the said two trees so by them or any of them to be planted, or set as is aforesaid, shall be of the same nature and quality that the said rootes and stumps of woodes and trees so stubbed and digged vp were of, if any shal be there to be had, but if no such may be had there, then to plant to other trees of the age & growth aforesaid, wch fiting and agreeable with the nature of the soyle and ground, from whence the said rootes and stumps of woodes and trees shall be so digged and stubbed vp, as is aforesaid: and shal also fill vp the said ground so made hollow, and vnened by the digging vp of the said rootes and stumps of woodes and trees, as is aforesaid. And further our will and pleasure is, and the said Sir Robert Stewart and Richard Vaus for them their heires, executors, administrators and assignes, and every of them do conuenant and graunte, to and with vs our heires and successors by these presents, That neither the said Sir Robert Stewart and Richard Vaus their executors, administrators or assignes, nor any of their seruants or workmen shall stubbe or digge vp any of the stumps or rootes of woodes and trees aforesaid within any severall Coplewoods or Coppices, or other demeane lands during such time as the same shall or ought to be continued in generall: except the Farmers and Tenants of the said Coplewoods or Coppices, or other demeane lands if the same be in lease, shall first thereunto consent and agree for a reasonable composition, to be allowed vnto every severall Farmer or Tenant for such damage and hinderance as they shall sustaine by such digging or rooting vp of their groundes, for the taking vp of the said rootes and stumps of woodes & trees as is aforesaid: the same damage (in case they cannot agree) to be allotted by two Justices of the peace next adioyning, to whom we doe hereby g. ne authority in every such case to consider and appoint the same, or if the same shall happen to be out of lease, that then neither the said Sir Robert Stewart nor Richard Vaus, their executors, administrators or assignes, nor any of their workmen shall stub or digge vp any the said rootes or stumps of woodes and trees without a speciall warrant from the Lord Treasurer for the time being in that behalfe to be obtained. And further that the said Sir Robert Stewart and Richard Vaus their executors, administrators or assignes, or any of their seruants or workmen shall not digge vp any the rootes or stumps of woodes or trees as is aforesaid, in or vpon any of our Commons, wastes, heathes, or other common grounds which haue not at any time heretofore, nor now be in severall, without the consent and agreement of a conuenient number of the Commoners interested in the said commons, wastes and heathes aforesaid, first had and obtained for the better avoyding of damage and spoyles in the said commons and heathes, which otherwise might happen to be done through carelesse and negligent digging or carrying away of the rootes or stumps of woodes and trees as is aforesaid: In which case also if the said Sir Robert Stewart and Richard Vaus their executors, administrators or assignes cannot agree with the said commoners or a conuenient number of them, as is aforesaid: then our will and pleasure is, that two of our Justices of the peace next adioyning to the place, where such differences shall happen to be and arise, shall take the paines to reconcile the said differences: whom we doe hereby authorise and command to treat between the said Sir Robert Stewart and Richard Vaus, their executors, administrators, substitutes and assignes, and the said Commoners: and to ordre the same as to their wisedomes shall seeme most meete. And the said Sir Robert Stewart and Richard Vaus, their executors, administrators, assignes and workmen, to fill vp the ground and soyle so made hollow and vnened, by digging vp of the said rootes and stumps of woodes and trees, and to sowe the same with hay dust, or vse some other meanes, therby to make the same fit to beare grasse for pasture. And our further will and pleasure is, that no rootes or stumps of woodes or trees, be digged vp or taken away by the said Sir Robert Stewart or Richard Vaus, their executors, administrators or assignes within any our Forests and Chases where the keepers of the said Forests and Chases haue heretofore by Letters Patents or Rights haue had and taken the said rootes & stumps of woodes and trees as fers appertayning and belonging vnto them: And further also our will and pleasure is, and the said Sir Robert Stewart and Richard Vaus for them, their heires, executors, administrators and assignes doe conuenant and graunt to and with vs our heires and successors by these presents, that the said Sir Robert Stewart and Richard Vaus their executors, administrators or assignes, nor any of them, or of any other gift or graunt by vs or by any of our progenitors or predecessors, to the aforesaid Sir Robert Stewart or Richard Vaus or either of them heretofore made in these presents, is not made, or any Statute, Act, Ordinance, prouision, proclamation or restraint to the contrary thereto heretofore had made, or dayned or prouided, or any other matter, cause or thing whatsoeuer contrary in any wise notwithstanding. In witness whereof, we haue caused these our Letters to be made patentes: witness our selfe at Westmister, the thirtieth day of July in the eight yere of our Raigne of England France and Ireland, and of Scotland: yere and Fortieth.

God sau the King.